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Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION **\*E-FILED - 2/6/07\***

RAYMUNDO FERDIN,	)	Case No. C 06-03235 RMW
	)	
Plaintiff,	)	<b>STIPULATION AND []</b>
	)	<b>ORDER CONTINUING CASE</b>
v.	)	<b>MANAGEMENT CONFERENCE</b>
	)	
MICHAEL W. WYNNE, SECRETARY,	)	
DEPARTMENT OF THE AIR FORCE,	)	
DEPARTMENT OF THE AIR FORCE,	)	
	)	
Defendants.	)	

The parties to this action hereby stipulate and request as follows:

Plaintiff filed this action on May 15, 2006. The Office of the United States Attorney for the Northern District of California was served on July 17, 2006. Pursuant to a request by made defendants' counsel and granted by plaintiff's counsel, defendants' response to the complaint was due September 29, 2006. Defendant filed a motion to dismiss, which was heard on December 15, 2006. Though the Court issued a tentative ruling prior to the hearing, the parties have not yet received a final order on the motion to dismiss. The tentative ruling stated that leave to amend would be granted, at least as to some of plaintiff's claims. However, because no final ruling has been received, plaintiff has not yet filed an amended complaint. Accordingly, the

pleadings are not likely to be settled by the currently scheduled case management conference on Friday, February 16, 2007.

In addition, defendant's counsel has informed plaintiff's counsel that she has been scheduled for a hearing in the District of Hawaii on Friday, February 16, 2007.

Therefore, in order to allow for a ruling on the submitted motion to dismiss, the filing of an amended complaint, and the filing of an answer or second motion to dismiss by defendant, the parties hereby stipulate and request that the case management conference be continued approximately 60 days to April 20, 2007.

Respectfully submitted,

DATED: January 30, 2007

KEVIN V. RYAN  
United States Attorney

/s/

CLAIRE T. CORMIER  
Assistant United States Attorney

WOODSON & ALLEN, LLP

DATED: January 30, 2007

/s/

WILLIAM N. WOODSON, III  
Attorney for Plaintiff

### **[] ORDER**

Pursuant to the stipulation of the parties and good cause appearing, the case management conference for this case is rescheduled from February 16, 2007 to April 20, 2007 at 10:30 a.m.

IT IS SO ORDERED.

DATE: 2/6/07



Ronald M. Whyte  
United States District Judge